

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH TURKOS,	:	
	:	
Petitioner,	:	
	:	
v.	:	No.: 4:17-CV-1897
	:	
SUPERINTENDENT BRITTAIN,	:	(Judge Brann)
	:	
Respondent.	:	

ORDER

AND NOW, this 5th day of December 2017, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. In accordance with the Petitioner's Notice of Election (Doc. 5) to discontinue this action, the instant petition is **DEEMED WITHDRAWN**.
2. **DISMISSAL IS WITHOUT PREJUDICE** and Turkos may file another § 2254 petition raising all grounds for relief from his conviction within the one (1) year statutory period prescribed by 28 U.S.C. § 2244(d)(1).
3. The Clerk of Court is directed to **CLOSE** this case.
4. There is no basis for the issuance of a Certificate of Appealability.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge